

# EXHIBIT E

**From:** [Schaeffer, Dennis](#)  
**To:** [Leah Costanzo](#)  
**Cc:** [Jim Orr](#); [keleonard@kslnlaw.com](mailto:keleonard@kslnlaw.com); [Schaeffer, Dennis](#)  
**Subject:** RE: Evans, Billy and Heather v. Southtowns Catholic School, et al.: Index No.: 801322/2019  
**Date:** Wednesday, July 5, 2023 2:19:02 PM

---

Leah -

The Diocese has not made a stay motion in the Chapter 11 case regarding this lawsuit.

As it happens, the ongoing dispute between the Diocese and Lipsitz Green regarding that firm's CVA cases came to a head after our most recent conference with Judge Vacco. Two or three weeks ago (sorry to be less than precise on timing), a motion was argued and submitted to Judge Bucki on the issue of whether the Bankruptcy Court should order a stay of the Lipsitz Green firm's CVA cases where the Diocese is named as a defendant. I'm unaware of whether a decision has been issued on that motion. My understanding is that, once that motion is decided, the Diocese will determine what next steps to take (if any) regarding this action.

Please let me know if you have any other questions.

Also, when did you have this case calendared for another conference?

Finally, I don't return from Alaska until late in the day on Friday 7/7.

**Dennis K. Schaeffer**

716.416.7049 Direct

716.341.4385 Cell

---

**From:** Leah Costanzo <[lcostanzo@steveboyd.com](mailto:lcostanzo@steveboyd.com)>  
**Sent:** Monday, June 26, 2023 2:48 PM  
**To:** Schaeffer, Dennis <[dschaeffer@bsk.com](mailto:dschaeffer@bsk.com)>  
**Cc:** Jim Orr <[JOrr@steveboyd.com](mailto:JOrr@steveboyd.com)>  
**Subject:** Evans, Billy and Heather v. Southtowns Catholic School, et al.: Index No.: 801322/2019

**External Email:** Use caution before clicking links or opening attachments.

Hi Dennis,

Did you ever file a motion in bankruptcy court per our discussion with the Judge on the underlying motion? I see we have this on for a conference on Monday, but I did not see anything come through. Thanks,

Leah

Leah Costanzo, Esq.  
Steve Boyd, P.C.

2969 Main Street, Suite 100  
Buffalo, NY 14214  
P: (716) 400-0000  
F: (716) 839-9959  
[lcostanzo@steveboyd.com](mailto:lcostanzo@steveboyd.com)

CONFIDENTIALITY NOTICE: The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and may be legally protected from disclosure. If you are not the intended recipient of this message or their agent, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments. If you are not the intended recipient, you are hereby notified that any use, dissemination, copying, or storage of this message or its attachments is strictly prohibited.